

106TH CONGRESS
1ST SESSION

S. 1072

To make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 14), 1999

Mr. DEWINE (for himself, Mr. HELMS, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CENTENNIAL OF FLIGHT COMMISSION.**

4 The Centennial of Flight Commemoration Act (36
5 U.S.C. 143 note; 112 Stat. 3486 et seq.) is amended—

6 (1) in section 4—

7 (A) in subsection (a)—

8 (i) in paragraphs (1) and (2) by strik-
9 ing “or his designee”;

1 (ii) in paragraph (3) by striking “, or
 2 his designee” and inserting “to represent
 3 the interests of the Foundation”;

4 (iii) in paragraph (4) by striking “, or
 5 his designee” and inserting “to represent
 6 the interests of the 2003 Committee”;

7 (iv) in paragraph (5) by inserting be-
 8 fore the period “and shall represent the in-
 9 terests of such aeronautical entities”; and

10 (v) in paragraph (6) by striking “, or
 11 his designee”;

12 (B) by striking subsection (f);

13 (C) by redesignating subsections (b)
 14 through (e) as subsections (c) through (f), re-
 15 spectively; and

16 (D) by inserting after subsection (a) the
 17 following:

18 “(b) ALTERNATES.—Each member described under
 19 subsection (a) may designate an alternate who may act
 20 in lieu of the member to the extent authorized by the
 21 member, including attending meetings and voting.”;

22 (2) in section 5—

23 (A) in subsection (a)—

24 (i) by inserting “provide recommenda-
 25 tions and advice to the President, Con-

1 gress, and Federal agencies on the most
 2 effective ways to” after “The Commission
 3 shall”;

4 (ii) by striking paragraph (1); and

5 (iii) by redesignating paragraphs (2)
 6 through (7) as paragraphs (1) through (6),
 7 respectively;

8 (B) by redesignating subsection (b) as sub-
 9 section (c) and inserting after subsection (a)
 10 the following:

11 “(b) INTERNATIONAL ACTIVITIES.—The Commission
 12 may—

13 “(1) advise the United States with regard to
 14 gaining support for and facilitating international
 15 recognition of the importance of aviation history in
 16 general and the centennial of powered flight in par-
 17 ticular; and

18 “(2) attend international meetings regarding
 19 such activities as advisors to official United States
 20 representatives or to gain or provide information for
 21 or about the activities of the Commission.”; and

22 (C) by adding at the end the following:

23 “(d) ADDITIONAL DUTIES.—The Commission may—

24 “(1)(A) assemble, write, and edit a calendar of
 25 events in the United States (and significant events

1 in the world) dealing with the commemoration of the
2 centennial of flight or the history of aviation;

3 “(B) actively solicit event information; and

4 “(C) disseminate the calendar by printing and
5 distributing hard and electronic copies and making
6 the calendar available on a web page on the Inter-
7 net;

8 “(2) maintain a web page on the Internet for
9 the public that includes activities related to the cen-
10 tennial of flight celebration and the history of avia-
11 tion;

12 “(3) write and produce press releases about the
13 centennial of flight celebration and the history of
14 aviation;

15 “(4) solicit and respond to media inquiries and
16 conduct media interviews on the centennial of flight
17 celebration and the history of aviation;

18 “(5) initiate contact with individuals and orga-
19 nizations that have an interest in aviation to encour-
20 age such individuals and organizations to conduct
21 their own activities in celebration of the centennial
22 of flight;

23 “(6) provide advice and make recommendations
24 to individuals and organizations that wish to conduct
25 their own activities in celebration of the centennial

1 of flight, and maintain files of information and lists
 2 of experts on related subjects that can be dissemi-
 3 nated on request;

4 “(7) sponsor meetings of Federal agencies,
 5 State and local governments, and private individuals
 6 and organizations for the purpose of coordinating
 7 their activities in celebration of the centennial of
 8 flight; and

9 “(8) encourage organizations to publish works
 10 related to the history of aviation.”;

11 (3) in section 6(a)—

12 (A) in paragraph (2)—

13 (i) by striking the first sentence; and

14 (ii) in the second sentence—

15 (I) by striking “the Federal” and
 16 inserting “a Federal”; and

17 (II) by striking “the informa-
 18 tion” and inserting “information”;

19 and

20 (B) in paragraph (3) by striking “section
 21 4(c)(2)” and inserting “section 4(d)(2)”;

22 (4) in section 6(c)(1) by striking “the Commis-
 23 sion may” and inserting “the Administrator of the
 24 National Aeronautics and Space Administration or
 25 the Administrator of the Federal Aviation Adminis-

1 tration (or an employee of the respective administra-
 2 tion as designated by either Administrator) may, on
 3 behalf of the Commission,”;

4 (5) in section 7—

5 (A) in subsection (a) in the first
 6 sentence—

7 (i) by striking “There” and inserting
 8 “Subject to subsection (h), there”; and

9 (ii) by inserting before the period “or
 10 represented on the Advisory Board under
 11 section 12(b)(1) (A) through (E)”;

12 (B) in subsection (b) by striking “The
 13 Commission” and inserting “Subject to sub-
 14 section (h), the Commission”;

15 (C) by striking subsection (g);

16 (D) by redesignating subsection (h) as sub-
 17 section (g); and

18 (E) by adding at the end the following:

19 “(h) LIMITATION.—Each member of the Commission
 20 described under section 4(a) (3), (4), and (5) may not
 21 make personnel decisions, including hiring, termination,
 22 and setting terms and conditions of employment.”;

23 (6) in section 9—

24 (A) in subsection (a)—

(i) by striking “The Commission may” and inserting “After consultation with the Commission, the Administrator of the National Aeronautics and Space Administration may”; and

(ii) by striking “its duties or that it” and inserting “the duties under this Act or that the Administrator of the National Aeronautics and Space Administration”;

(B) in subsection (b)—

(i) in the first sentence by striking “The Commission shall have” and inserting “After consultation with the Commission, the Administrator of the National Aeronautics and Space Administration may exercise”; and

(ii) in the second sentence by striking “that the Commission lawfully adopts” and inserting “adopted under subsection (a)”; and

(C) by amending subsection (d) to read as

follows:

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), funds from licensing royalties received under this

1 section shall be used by the Commission to carry out
 2 the duties of the Commission specified by this Act.

3 “(2) EXCESS FUNDS.—The Commission shall
 4 transfer any portion of funds in excess of funds nec-
 5 essary to carry out the duties described under para-
 6 graph (1), to the National Aeronautics and Space
 7 Administration to be used for the sole purpose of
 8 commemorating the history of aviation or the cen-
 9 tennial of powered flight.”;

10 (7) in section 10—

11 (A) in subsection (a)—

12 (i) in the first sentence, by striking
 13 “activities of the Commission” and insert-
 14 ing “actions taken by the Commission in
 15 fulfillment of the Commission’s duties
 16 under this Act”;

17 (ii) in paragraph (3), by adding “and”
 18 after the semicolon;

19 (iii) in paragraph (4), by striking the
 20 semicolon and “and” and inserting a pe-
 21 riod; and

22 (iv) by striking paragraph (5); and

23 (B) in subsection (b)(1) by striking “ac-
 24 tivities” and inserting “recommendations”;

25 (8) in section 12—

1 (A) in subsection (b)—

2 (i) in paragraph (1)—

3 (I) in subparagraphs (A), (C),
4 (D), and (E), by striking “, or the
5 designee of the Secretary”;

6 (II) in subparagraph (B), by
7 striking “, or the designee of the Li-
8 brarian”; and

9 (III) in subparagraph (F)—

10 (aa) in clause (i) by striking
11 “government” and inserting
12 “governmental entity”; and

13 (bb) by amending clause (ii)
14 to read as follows:

15 “(ii) shall be selected among individ-
16 uals who—

17 “(I) have earned an advanced de-
18 gree related to aerospace history or
19 science, or have actively and primarily
20 worked in an aerospace related field
21 during the 5-year period before ap-
22 pointment by the President; and

23 “(II) specifically represent 1 or
24 more of the persons or groups enu-
25 merated under section 5(a)(1).”; and

1 (ii) by adding at the end the fol-
 2 lowing:

3 “(2) ALTERNATES.—Each member described
 4 under paragraph (1) (A) through (E) may designate
 5 an alternate who may act in lieu of the member to
 6 the extent authorized by the member, including at-
 7 tending meetings and voting.”; and

8 (B) in subsection (h) by striking “section
 9 4(e)” and inserting “section 4(d)”; and
 10 (9) in section 13—

11 (A) by striking paragraph (4); and

12 (B) by redesignating paragraph (5) as
 13 paragraph (4).

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